

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 377 - HB 1201

February 24, 2019

SUMMARY OF BILL: Prohibits the use of deer or elk urine to mask human odor or to attract big game if the urine originated in a state with known cases of Chronic Wasting Disease (CWD). Creates certain exceptions to such prohibition. Creates a Class B misdemeanor, punishable by fine only for violations regarding the use of deer or elk urine.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Any fiscal impact is based on the future action of the Tennessee Fish and Wildlife Commission (TFWC). Expenditures to the Wildlife Resources Fund will range from \$0 - \$67,700 depending on whether or not the TFWC chooses to reverse its currently adopted prohibition.

Assumptions:

- The Tennessee Fish and Wildlife Commission (TFWC) recently adopted a proclamation prohibiting the use of natural deer or elk urine, effective March 1, 2019.
- The proposed legislation authorizes the TFWC to allow the use or sale of deer or elk urine if certain conditions are met.
- However, the TFWC retains authority under this legislation to prohibit the use or sale of deer or elk urine.
- Further, pursuant to Tenn. Code Ann. §§70-1-201 and 206, the TFWC is an independent and separate administrative board which is directed and authorized to promulgate necessary rules, regulations, and proclamations as required under Title 70 and establish objectives within the state policy that will enable the Tennessee Wildlife Resources Agency (TWRA) to develop, manage, and maintain sound wildlife related programs.
- Due to the current and costly spread of CWD within the state, it is uncertain whether the Commission will, pursuant to this legislation, reverse its decision and allow the use or sale of deer or elk urine or if they will strictly prohibit the use or sale of deer or elk urine pursuant to the proclamation effective March 1, 2019. Further, it is unknown if any such prohibition would be permanent into perpetuity or temporary in nature when taking the extended future into consideration.
- To the extent the TFWC chooses to lift the prohibition and allow the use and sale of deer and elk urine under the requirements of the proposed legislation, TWRA will require a Wildlife Officer 1 position to travel and inspect the various deer farms across the

country that want to sell natural doe or elk urine in this state. In this case, the recurring increase in state expenditures from the Wildlife Resources Fund is estimated to be \$67,712 (\$39,576 salary + \$13,136 benefits + \$15,000 travel and other).

IMPACT TO COMMERCE:

NOT SIGNIFICANT

Assumption:

- Passage of this legislation is not expected to result in any significant impact to commerce or jobs in Tennessee.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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